

RESOLUTION NO. 4133

RESOLUTION APPROVING PROGRAM SUPPLEMENT  
NO. 1 AND PROGRAM SUPPLEMENT NO. 2 TO LOCAL  
AGENCY-STATE AGREEMENT NO. 3 AND AUTHORIZING  
THE CITY MANAGER TO EXECUTE SAID SUPPLEMENTS  
ON BEHALF OF THE CITY

BE IT RESOLVED that the City Council of the City of Lodi does hereby approve Program Supplement No. 1 and Program Supplement No. 2 to Local Agency-State Agreement No. 3 between the State of California and the City of Lodi covering the City's proposed Federal Aid Urban Projects, which are attached hereto, marked Exhibit "A" and Exhibit "B", and by reference made a part hereof.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Lodi does hereby authorize the City Manager, Henry A. Graves, Jr. to execute said Supplements on behalf of the City.


Dated: December 10, 1975

I hereby certify that Resolution No. 4133 was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 10, 1975 by the following vote:

Ayes: Councilmen - EHRHARDT, HUGHES, KATNICH,  
PINKERTON and SCHAFFER

Noes: Councilmen - None

Absent: Councilmen - None

  
ALICE M. REIMCHE  
City Clerk

LOCAL AGENCY city of Lodi  
 DATE 9/28/75  
 SUPPLEMENT NO. 1  
 TO LOCAL AGENCY - STATE  
 AGREEMENT NO. 3

# PROGRAM

of

## LOCAL AGENCY FEDERAL AID URBAN SYSTEM PROJECTS

in the

City of Lodi

*Local Agency*

Pursuant to the Federal Aid for Urban Systems Act (commencing with Section 2350 of the Streets and Highways Code) and Section 106 of the Federal-Aid Highway Act of 1970, the attached "Program" of Federal Aid Urban System Projects marked "Exhibit B" is hereby incorporated in that Master Agreement for the Federal-Aid Urban System Program which was entered into between the above named LOCAL AGENCY and the STATE on August 6, 1975 and is subject to all of the terms and conditions thereof.

The subject program is adopted in accordance with Paragraph 4 of Article II of the aforementioned agreement under authority of ~~City/County~~ Resolution No. \_\_\_\_\_ approved by the City Council/~~Board of Supervisors~~ on \_\_\_\_\_ (See copy attached)

City of Lodi

*Local Agency*

By Henry A. Glaves  
 Title City Manager

Attest: Alvie M. Bernchi  
 Clerk

Approved for State

HEINZ HECKEROTH  
 Assistant **Director**, Highways

By [Signature]  
 Chief, Office of Local Assistance

Department of Transportation

# PROGRAM of FEDERAL AID URBAN SYSTEM PROJECTS

EXHIBIT B

DATE: 9/26/75

PROGRAM SUPPLEMENT NO.: 1

LOCAL AGENCY: City of Lodi

Project No.	Location & Description	Total Cost	Federal Funds	Matching Funds'
M-Y306(1)	In the City of Lodi on Elm Street from Lower Sacramento Road to Mills Avenue	PRELIE	NARY ENGINEERING	
		\$ 500	\$ 414	\$ 86
		CONSTRUCTION ENGINEERING		
		12,100	9,270	2,830
		ONSTRUCTION		
		<u>126,900</u>	<u>97,278</u>	<u>29,622</u>
	TOTALS	\$139,500	\$106,962	\$ 32,538
Local Agency Funds unless otherwise specified				

Special Covenants or Remnrks. 1. All maintenance, involving the physical condition and the operntion of the improvements, referred to in Article VI MAINTENANCE of the aforementioned Master Agreement will be performed by The City of Lodi at regular intervals or as required for efficient operation of the completed improvements.

FAU AGREEMENT  
EXHIBIT "C"

1973 FEDERAL-AID HIGHWAY ACT SUPPLEMENT:

All references to the Federal-aid Highway Act of 1970 in this agreement shall include the Federal-aid Highway Acts of 1970 and 1973.

The Federal-aid Highway Act of 1973 expanded the Federal-aid Urban System program to:

- Include urban areas with populations between 5,000 and 50,000. The use of the term urbanized in this agreement shall mean urban when this agreement covers projects in areas having between 5,000 and 50,000 population.
- Provides for the expenditure of Urban System funds on mass transit projects. This agreement shall be deemed to cover projects of this nature. .

This exhibit deletes or revises specific paragraphs of the agreement as follows:

- Article I, paragraph I - revise to read:  
" All projects, excepting mass transit projects, *must* be on an approved Federal-aid Urban System route."
- Article II, paragraph 2b - delete.
- Article 11, paragraph 2c - revise to read:  
"The project selected by a cooperative process and included in the area's approved 3-year **program**."
- Article 11, paragraph 3 - delete.

## SPECIAL COVENANTS FOR SUPPL. LA-SA

The City of Lodi will advertise, award and administer this project with the approval of the FHWA.

Unless determined otherwise by the San Joaquin County's Cooperative Process Committee, the actual funds for the project will be set up on the basis of contract prices after the bids for the work have been opened. In awarding, or agreeing to award the contract, the City agrees to use maximum Federal Funds based on bid prices as established in the Detail Estimate and accepts any increase in Local Agency Funds.

The use of Federal Funds for this project **is** subject to the project being selected as part of the three (3) year FAU Program for San Joaquin County's Lodi Urban Area.

Should higher priority projects cause increase or decrease to the Federal funds available, this project will be financed with the maximum Federal funds available to the County.

Should additional Federal Funds become available to the City, this amount will, at the City's request, be increased to the amount available but not to exceed the maximum legal Federal prorata share with a corresponding decrease in the matching funds.

The City share of matching funds for Preliminary Engineering, Construction Engineering, and Construction will be 100% of the amount remaining after Federal participation.

The availability of Federal Funds will be subject to meeting deadlines and/or other conditions as may be imposed by the Director upon the recommendation of the TOPICS Advisory Committee (Urban System).

This agreement supplements FAU Master Agreement No. 3 and pertains to the FAU involvement in the project. A separate agreement will supplement the Master Topics Agreement.

Exhibit "C", attached hereto, supplements the aforementioned Master Agreement in regard to the 1973 Federal-aid Highway Act.

LOCAL AGENCY City of Lodi  
 DATE 9/25/75  
 SUPPLEMENT NO. 2  
 TO LOCAL AGENCY 3 - STATE  
 AGREEMENT NO. \_\_\_\_\_

# PROGRAM

of

## LOCAL AGENCY FEDERAL AID URBAN SYSTEM PROJECTS

in the

City of Lodi

*Local Agency*

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The subject program is adopted in accordance with Paragraph 4 of Article II of the aforementioned agreement under authority of City/County Resolution No. \_\_\_\_\_ approved by the City Council/~~Board of Supervisors~~ on \_\_\_\_\_ (See copy attached)

City of Lodi  
*Local Agency*

By Sherry A. Ware  
 Title City Manager

Attest: Alice M. Beumiche  
 Clerk

Approved for State

HEINZ HECKEROTH  
 Assistant Director, Highways

By [Signature]  
 Chief, Office of Local Assistance

Department of Transportation

# PROGRAM of FEDERAL AID URBAN SYSTEM PROJECTS

EXHIBIT B

DATE: 9/26/75

PROGRAM SUPPLEMENT NO.: 2

LOCAL AGENCY: City of Lodi

Project No	Location & Description	Total Cost	Federal Funds	Matching Funds*
M-Y305(:	In the City of Lodi on Lodi Avenue from Cabrillo Circle to Wood Drive	PRELIMINARY ENGINEERING		
		\$ 500	\$ 414	\$ 86
		CONSTRUCTION ENGINEERING		
		\$ 11,900	\$ 9,873	\$ 2,027
		CONSTRUCTION		
		<u>\$119,200</u>	<u>\$ 98,900</u>	<u>\$20,300</u>
	TOTALS	\$131,600	\$109,187	\$22,413
Local Agency Funds unless otherwise specified				

Special Covenants or Remarks. I. All maintenance, involving the physical construction and the operation of the improvements, referred to in Article VI MAINTENANCE of the aforementioned Master Agreement will be performed by

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Unless determined otherwise by the San Joaquin County's Cooperative Process Committee, the actual funds for the project **will** be set **up** on the basis of contract prices after the bids for the **work** have been opened. In awarding, or agreeing to award the contract, the City agrees to use maximum Federal Funds based on bid prices as established in the Detail Estimate and accepts any increase in Local Agency Funds.

The use of Federal Funds for this project is subject to the project being selected as part of the three (3) year FAU Program for San Joaquin County's Lodi Urban Area.

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This agreement supplements FAU Master Agreement No. 3 and pertains to the FAU involvement **in** the project. A separate agreement **will** supplement the Master Topics **Agreement**.

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